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on MARCH 17, 1997
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FRANK Z. YANG, (35,417)
Name of applicant, assignee or
Registered Representative

Frank Z. Yang
Signature



PATENT
Case No. 391/1275

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael MCHALE et al.

Serial No.: 08/044,240

Filed: April 7, 1993

For: MULTI-PHASE SHEETED
CHEWING GUM AND METHOD
AND APPARATUS FOR MAKING

Examiner: Curtis E. Sherrer

Art Unit: 1302 ✓

PETITION FOR ENTRY OF REPLY BRIEF UNDER 37 C.F.R. § 1.181

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

37 C.F.R. § 1.17(h) Petition Fee

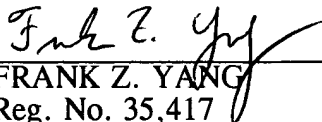
A \$130.00 check is enclosed for this petition. If we err regarding the petition fee, please charge any deficiency, or credit any overpayment to Deposit Account No. 23-1925.

REQUEST

The above-captioned case was appealed to the Board of Patent Appeals and Interferences. Following an exchange of briefs, the Examiner has refused entry of a Supplemental Reply Brief filed by the Applicants on December 16, 1996. The Examiner contends that the Supplemental Reply Brief does not address new points of argument or new grounds for rejection in the Examiner's Supplemental Answer, filed November 15, 1996. In the accompanying brief, we show that the Examiner erred in determining that the Supplemental Reply did not address new points of arguments. Therefore, Applicants respectfully petition the

Commissioner for entry of the Supplemental Reply Brief Dated December 16, 1996, into the record before the Board of Patent Appeals and Interferences.

Respectfully submitted,


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Date: March 17, 1997

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